


MAR 05 2013

JULIA C. DUBLEY, CLERK
BY: 
DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

KELSEY FRANCIS BURTON,
Plaintiff,

v.

GERALD A. MCPEAK, et al.,
Defendants.

) Civil Action No. 7:13-cv-00028
)
)

) ORDER
)

) By: Hon. Michael F. Urbanski
) United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED

that the Complaint is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1), and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to plaintiff.

ENTER: This  day of March, 2013.


United States District Judge